



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MATTHEW MCDERMOTT,

Plaintiff,

- against -

THIS DOG'S LIFE CORP.,

Defendant.
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23-CV-05869 (PAE) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order resolves Defendant's request at Dkt. 40 for a conference to discuss Plaintiff's responses to Defendant's First Set of Interrogatories ("RFI"), Nos. 2-4, 6-10. Based on the parties' correspondence, the Court has enough information on which to resolve the issue without a conference.

RFI 2: Plaintiff shall provide a calculation of actual damages, to the extent Plaintiff is aware of any at this time. Doing so does not preclude election of statutory damages at a later time.

RFI 3: Plaintiff's objection is sustained. Of course, Plaintiff has a duty to supplement if and when warranted.

RFI 4: Plaintiff shall identify how and when he became aware of the alleged infringement. The remaining information requested by the interrogatory is better and more reasonably obtained through document and deposition discovery.

RFIs 6-7: Plaintiff shall answer these interrogatories either directly or by reference to documents produced.

RFIs 8-10: Plaintiff's objections are sustained.

Defendant's request for a conference is denied as moot. The Clerk of Court is directed to terminate the letter motion at Dkt. 40.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', is written above a horizontal line.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: August 16, 2024
New York, New York

Copies transmitted this date to all counsel of record.